[BE] Advertising Breaks in American Series on RTBF

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In a judgement delivered on 2 September 1998, the Brussels Court of Appeal overturned a judgement by the Brussels Commercial Court on 29 December 1997 which, in response to an application by the private-sector channel RTL-TVi, had prohibited RTBF inserting advertising breaks in American series broadcast in the afternoons.

In the initial proceedings, the Commercial Court held that the advertising breaks were contrary to RTBF's contractual management regulations, according to which "advertising may not interrupt programmes, particularly films, or the various sequences of any one programme".

On appeal, the Court found that the series concerned ("The Streets of San Francisco", "Beverly Hills", "Lois Clark") were originally devised by their makers to comprise a number of sequences in order to include advertising and that as a result RTBF was not violating the provisions of its management contract.

Arrêt de la Cour d'appel de Bruxelles du 2 septembre 1998, J.L.M.B.,1998/37, p. 1068.

Judgement by the Brussels Court of Appeal, 2 September 1998, J.L.M.B., 1998/37, p.1068.

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